

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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VARISCITE NY ONE, INC.,

*Plaintiff,*

-against-

STATE OF NEW YORK; NEW YORK STATE OFFICE  
OF CANNABIS MANAGEMENT; AND CHRISTOPHER  
ALEXANDER,

*Defendants.*

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**AMENDED NOTICE OF  
APPEAL**

22-CV-1013

GLS/DJS

Please take notice that Defendants, State of New York, New York State Office of Cannabis Management, and Christopher Alexander hereby appeal to the United States Court of Appeals for the Second Circuit from 1) the Memorandum-Decision and Order (ECF No. 28) entered in this action on November 10, 2022; and 2) the Memorandum-Decision and Order (ECF No. 46) entered in this action on January 31, 2023, insofar as it denied Defendants' Motion to Modify the Preliminary Injunction contained in this Court's November 10, 2022 Memorandum-Decision and Order, pursuant to Rule 59(e) of the Federal Rules of Civil Procedure.

Dated: Albany, New York  
February 1, 2023

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